

**BOSE
McKINNEY
& EVANS LLP**
ATTORNEYS AT LAW

Richard S. VanRheenen

Downtown Office

Direct Dial (317) 684-5349

Direct Fax (317) 223-0349

E-Mail: RVanRheenen@boselaw.com



July 1, 2003

Debbie Regel
Enforcement Specialist
U.S. Environmental Protection Agency
Emergency Enforcement & Support Section, SE-5J
77 West Jackson Boulevard
Chicago, IL 60604-3590

RE: Request for Information pursuant to CERCLA § 104 (e) for
Gary Development Landfill Site, Gary, Indiana

Dear Ms. Regel:

I represent Mr. Lawrence H. Hagen, Jr. with respect to the above referenced matter. The following responses to U.S. Environmental Protection Agency's Request for Information dated March 24, 2003, were prepared for Mr. Lawrence H. Hagen, Jr. Mr. Hagen has signed this letter as to the responses, and I have signed this letter as to the objections and the preparation of the responses.

- 1. Identify all persons consulted in the preparation of the answers to these Information Requests.*

RESPONSE TO REQUEST NO. 1

I consulted with Bose McKinney & Evans LLC in the preparation of the answers to these Information Requests.

- 2. Identify all documents consulted, examined, or referred to in the preparation of the answers to these Requests, and provide copies of all such documents.*

472000 / 09273.2

RESPONSE TO REQUEST NO. 2

I have no documents responsive to Request No. 2.

3. *If you have reason to believe that there may be persons able to provide a more detailed or complete response to any Information Request or who may be able to provide additional responsive documents, identify such persons.*

RESPONSE TO REQUEST NO. 3

William M. Nanini or Lawrence H. Hagen, Sr. may be able to provide more detailed or complete responses to one or more of these Information Requests.

4. *Identify the acts or omissions of any persons, other than your employees, contractors, or agents, that may have caused the release or threat of release of hazardous substances, pollutants, or contaminants, and damages resulting therefrom.*

OBJECTION TO REQUEST NO. 4

I object to this Information Request on the grounds that it is defective in form. The Request assumes that I had employees, contractors or agents and assumes that such employees, contractors or agents may have caused the release or threat of release of certain substances. I did not have employees, contractors or agents with respect to the Gary Development Landfill. My actions with respect to the Gary Development Landfill were solely as an hourly employee of the Gary Development Company. Also, the Request assumes the existence of a release or threat of release of certain substances.

RESPONSE TO REQUEST NO. 4

Without waiver of the above objection, I do not have any knowledge that there has been any release or threat of release of hazardous substances, pollutants, or contaminants.

5. *Identify all persons having knowledge or information about the generation, transportation, treatment, disposal, or other handling of hazardous substances by you, your contractors, or by prior owners and/operators.*

OBJECTION TO REQUEST NO. 5

I object to this Information Request on the grounds that it is defective in form. The Request assumes that I had contractors and assumes that such contractors and I may have engaged in the generation, transportation, treatment, disposal, or other handling of hazardous substances with respect to the Gary Development Landfill. My actions with respect to the Gary Development Landfill were solely as an hourly employee of the Gary Development Company.

RESPONSE TO REQUEST NO. 5

Without waiver of the above objection, I am not aware of any hazardous substances disposed in the landfill, or in containers in buildings at the Site.

6. *Did you ever use, purchase, store, treat, dispose, transport or otherwise handle any hazardous substances or materials at the Site? If the answer to the preceding question is anything but an unqualified "no", identify:*

OBJECTION TO REQUEST NO. 6

I object to this Information Request on the grounds that it is defective in form. The portion of the Request noted above uses the phrase "hazardous substances or materials" while the sub-parts 6(a)-6(f) only use the phrase "hazardous substances." Gary Development Company always intended to accept, and believed that it accepted, only non-hazardous wastes. Additionally, I object to this Request on the grounds that it is unduly burdensome to the extent that the information sought by this Request was the subject of the U.S. EPA proceeding styled "In the Matter of Gary Development Company, Inc., 479 North Cline Avenue, P.O.Box 6056, Gary, Indiana, 46406, Ind. 077-005-916," Docket No. RCRA V-W-86-R-45. (The EPA RCRA Proceeding.) U.S. EPA obtained such information at that time. It is unduly burdensome to require me to attempt to supply such information at this time, on the basis of memory, when EPA presumably has the transcript of that proceeding, including exhibits, and thus has much more complete information that would be responsive to this Request, including its sub-parts.

RESPONSE TO REQUEST NO. 6

I never purchased, stored, treated, disposed, transported or otherwise handled any hazardous substances or materials at the Site in an individual capacity. I do not know whether Gary Development Company disposed any hazardous materials in the landfill at the Site. I was an hourly wage earner and my job responsibilities were restricted to operating equipment like bulldozers to spread and cover the waste.

- a) *The chemical composition, characteristics, physical state (e.g., solid, liquid) of each hazardous substance;*

RESPONSE TO REQUEST NO. 6 a

Not applicable.

- b) *Who supplied you with such hazardous substances;*

RESPONSE TO REQUEST NO. 6 b

Not applicable.

- c) *How such hazardous substances were used, purchased, generated, stored, treated, transported, disposed, or otherwise handled by you;*

RESPONSE TO REQUEST NO. 6 c

Not applicable.

- d) *When such hazardous substances were used, purchased, generated, stored, treated, transported, disposed, or otherwise handled by you;*

RESPONSE TO REQUEST NO. 6 d

Not applicable.

- e) *Where such hazardous substances were used, purchased, generated, stored, treated, transported, disposed, or otherwise handled by you; and*

RESPONSE TO REQUEST NO. 6 e

Not applicable.

- f) *The quantity of such hazardous substances used, purchased, generated, stored, treated, transported, disposed, or otherwise handled by you.*

RESPONSE TO REQUEST NO. 6 f

Not applicable.

7. *Identify all persons, including yourself, who may have arranged for disposal or treatment or arranged for transportation for disposal or treatment of waste materials, including hazardous substances, at the Site or to the Site. In addition, identify the following:*

OBJECTION TO REQUEST NO. 7

I object to this Information Request on the grounds that it is defective in form. The Request assumes that I may have arranged for disposal or treatment or arranged for transportation for disposal or treatment of waste materials, including hazardous substances, at the Site or to the Site. My actions with respect to the Gary Development Landfill were as an hourly employee of the Gary Development Company only. Additionally, Gary Development Company always intended to accept, and believed that it accepted, only non-hazardous wastes. Thus, all responses to sub-parts 7(a) - 7(q), are without any admission or representation that any constituent of any material brought to the Site, constituted or contained hazardous substances. Additionally, I object to this Request on the grounds that it is unduly burdensome. The information sought by this Request was the subject of the EPA RCRA Proceeding and thus U.S. EPA obtained the information at that time. It is unduly burdensome to require me to attempt to supply such information at this time, on the basis of memory, when EPA presumably has the transcript of that proceeding, and thus has much more complete information that would be responsive to this Request, including its sub-parts.

RESPONSE TO REQUEST NO. 7

I do not know anything about arrangements, if any, Gary Development Company and its customers made for waste materials from such customers to be disposed in the landfill at the Site. I was an hourly wage earner and my job responsibilities were restricted to operating equipment like bulldozers to spread and cover the waste.

- a) *The persons with whom you or such other persons made such arrangements;*

RESPONSE TO REQUEST NO. 7 a

Not applicable.

- b) *Every date on which such arrangements took place;*

RESPONSE TO REQUEST NO. 7 b

Not applicable.

- c) *For each transaction, the nature of the waste material or hazardous substance, including the chemical content, characteristics, physical state (e.g., solid, liquid) and the process for which the substance was used or the process which generated the substance;*

RESPONSE TO REQUEST NO. 7 c

Not applicable.

- d) *The owner of the waste materials or hazardous substances so accepted or transported;*

RESPONSE TO REQUEST NO. 7 d

Not applicable.

- e) *The quantity of the waste material or hazardous substances involved (weight or volume) in each transaction and the total quantity for all transactions;*

RESPONSE TO REQUEST NO. 7 e

Not applicable.

- f) *All tests, analyses, and analytical results concerning the waste materials;*

RESPONSE TO REQUEST NO. 7 f

Not applicable.

- g) *The person(s) who selected the Site as the place to which the waste materials or hazardous substances were to be transported;*

RESPONSE TO REQUEST NO. 7 g

Not applicable.

- h) The amount paid in connection with each transaction, the method of payment, and the identity of the person from whom payment was received;*

RESPONSE TO REQUEST NO. 7 h

Not applicable.

- i) Where the person identified in g. above intended to have such hazardous substances or waste materials transported and all evidence of this intent;*

RESPONSE TO REQUEST NO. 7 i

Not applicable.

- j) Whether the waste materials or hazardous substances involved in each transaction were transshipped through, or were stored or held at, any intermediate Site prior to final treatment or disposal;*

RESPONSE TO REQUEST NO. 7 j

Not applicable.

- k) what was actually done to the waste materials or hazardous substances once they were brought to the Site;*

RESPONSE TO REQUEST NO. 7 k

Waste materials brought to the Site were disposed in the landfill.

- l) The final disposition of each of the waste materials or hazardous substances involved in such transactions;*

RESPONSE TO REQUEST NO. 7 l

The final disposition of waste materials brought to the Site was disposal in the landfill.

- m) The measures taken by you to determine the actual methods, means, and Site of treatment or disposal of the waste materials and hazardous substances involved in each transaction;*

OBJECTION TO REQUEST NO. 7m

I object to this Information Request on the grounds that it is defective in form. This Request appears to seek information from a generator or transporter of such materials, not the receiving facility.

RESPONSE TO REQUEST NO. 7 m

As an equipment operator, I just operated a bulldozer and other similar equipment as instructed by management.

- n) The type and number of containers in which the waste materials or hazardous substances were contained when they were accepted for transport, and subsequently until they were deposited at the Site, and all markings on such containers;*

RESPONSE TO REQUEST NO. 7 n

Waste materials arrived at the Site in bulk - either in dump trucks, open top roll-offs, or in compactor trucks. Waste materials did not arrive at the Site in containers like barrels or drums.

- o) The price paid for (i) transport or (ii) disposal of (iii) or both, of each waste material and hazardous substance;*

RESPONSE TO REQUEST NO. 7 o

Not applicable.

- p) All documents containing information responsive to a) - o) above, or in lieu of identification of all relevant documents, provide copies of all such documents;*

RESPONSE TO REQUEST NO. 7 p

I do not have any documents relevant to Request 7(a)-(o).

q) All persons with knowledge, information, or documents responsive to a) - o) above.

RESPONSE TO REQUEST NO. 7 q

I was only an employee of the Gary Development Company. I have no knowledge of or documents responsive to Request No. 7(a)-(o) above. Lawrence H. Hagen, Sr. was the general manager of Gary Development Company and managed the landfill operations on a daily basis.

8. Identify the person or persons who held the authority for decisions regarding the purchase, storage, transfer, acceptance or abandonment of hazardous substances at the Site.

OBJECTION TO REQUEST NO. 8

I object to this Information Request on the grounds that it is defective in form. The Request assumes the existence and knowledge of "hazardous substances." To my knowledge, waste materials brought to the Site did not contain hazardous substances. Gary Development Company always intended to accept, and believed that it accepted, only non-hazardous wastes. Thus, the response to Request No. 8 is without any admission or representation that any constituent of materials brought to the Site contained hazardous substances.

RESPONSE TO REQUEST NO. 8

I was only an hourly employee of the Gary Development Company. I have no knowledge if any person or persons held any authority for decisions, if any, regarding the purchase, storage, transfer, acceptance or abandonment of hazardous substances of the Site.

9. Identify any shareholders of Gary Development Co., Inc. who held the authority for decisions and/or exercised that authority regarding the purchase, storage, transfer, acceptance or abandonment of hazardous substances at the Site.

OBJECTION TO REQUEST NO. 9

I object to this Information Request on the grounds that it is defective in form. The Request assumes the existence and knowledge of "hazardous substances." To my knowledge, waste materials brought to the Site did not contain hazardous substances. Gary Development Company always intended to accept, and believed it accepted only non-hazardous wastes. Thus, the response to Request No. 9 is without any admission or representation that any constituent of materials brought to the Site contained hazardous substances.

RESPONSE TO REQUEST NO. 9

I was only an hourly employee of the Gary Development Company. I do not know which persons were shareholders of Gary Development Company.

10. Provide copies of all local, state, and federal environmental permits ever granted for the Facility or any part thereof (e.g. NPDES permits, etc.).

RESPONSE TO REQUEST NO. 10

I do not have copies of any local, state, and federal environmental permits that may have been granted for the Facility or any part thereof.

11. Identify all leaks, spills, or releases into the environment of any hazardous substances, pollutants, or contaminants that have occurred at or from the Site. In addition, identify:

OBJECTION TO REQUEST NO. 11

I object to this Information Request on the grounds that it is defective in form. The Request assumes the existence and knowledge of "hazardous substances, pollutants, or contaminants." The Site has not been in operation for many years, I do not have any records that contain such information, and I cannot remember whether any constituent of materials brought to the Site contained hazardous substances, pollutants or contaminants. Also, Gary Development Company always intended to accept, and believed that it accepted, only non-hazardous wastes. Thus, the response to Request No. 11 is without any admission or representation that any given substance that may have been a constituent of materials brought to the Site contained hazardous substances, pollutants or contaminants. Additionally, although your March 24, 2003, letter defines the term "release," the term "releases into the environment" is not defined. The Site was a landfill. The materials brought to the Site were disposed in the landfill.

RESPONSE TO REQUEST NO. 11

I am not aware of any leaks, spills, or releases into the environment of any hazardous substances, pollutants, or contaminants at or from the Site.

a) When such releases occurred;

RESPONSE TO REQUEST NO. 11 a

Not applicable.

b) How the releases occurred;

RESPONSE TO REQUEST NO. 11 b

Not applicable.

c) The amount of each hazardous substances, pollutants, or contaminants so released;

RESPONSE TO REQUEST NO. 11 c

Not applicable.

d) Where such releases occurred;

RESPONSE TO REQUEST NO. 11 d

Not applicable.

e) Any and all activities undertaken in response to each such release or threatened release, including the notification of any agencies or governmental units about the release.

RESPONSE TO REQUEST NO. 11 e

Not applicable.

f) Any and all investigations of the circumstances, nature, extent or location of each release or threatened release including, the

results of any soil, water (ground and surface), or air testing undertaken; and

RESPONSE TO REQUEST NO. 11 f

Not applicable.

g) All persons with information relating to these releases.

RESPONSE TO REQUEST NO. 11 g

Not applicable.

12. Did any leaks, spills, or releases of hazardous materials occur on the Site when such materials were being:

OBJECTION TO REQUEST NO. 12

I object to this Information Request on the grounds that it is defective in form. The Request assumes the existence and knowledge of "hazardous materials." The Site has not been in operation for many years, I do not have any records that contain such information, and I cannot remember whether any constituent of materials brought to the Site contained hazardous materials. Also, Gary Development Company always intended to accept and believed that it accepted only non-hazardous wastes. Additionally, although your March 24, 2003, letter defines the terms "hazardous substances" and "materials" it does not define the term "hazardous materials." Thus, I do not know what that term means. Additionally, although your March 24, 2003, letter defines the term "release," the term references the phrase "into the environment" which is not defined. The Site was a landfill. The materials brought to the Site were disposed in the landfill. If disposal in a landfill constitutes "releases into the environment," then all the materials were released into the environment. Thus, the response to Request No. 12 is without any admission or representation that any given substance that may have been a constituent of materials brought to the Site contained hazardous materials.

a) Delivered by a vendor;

RESPONSE TO REQUEST NO. 12 a

I am not aware of any leaks, spills, or releases of hazardous materials.

b) Stored (e.g., in any tanks, drums, or barrels);

RESPONSE TO REQUEST NO. 12 b

I am not aware of any leaks, spills, or releases of hazardous materials.

- c) Transported or transferred (e.g., to or from any tanks, drums, barrels, or recovery units); or*

RESPONSE TO REQUEST NO. 12 c

I am not aware of any leaks, spills, or releases of hazardous materials.

- d) Treated.*

RESPONSE TO REQUEST NO. 12 d

I am not aware of any leaks, spills, or releases of hazardous materials.

- 13. Provide a list of the hazardous substances and/or chemicals routinely used on a regular basis by the Gary Development Co., Inc. during its operation at the Site, including but not limited to substances used as insecticides and for machinery and vehicle maintenance.*

RESPONSE TO REQUEST NO. 13

I remember using the following products for maintenance purposes at Gary Development Company: motor oil, grease, transmission fluid, hydraulic oil, a product called Diesel Dope added to diesel fuel to help injection systems burn better, starting fluid, and antifreeze. Gary Development Company for a time used a cleaning solvent from Safety-Kleen, but ceased doing so about 1985/86 and used diesel fuel instead. Gary Development Company also from time to time may have had one or two twelve-ounce cans of Raid or a similar product. Gary Development Company also from time to time may have had one or two small cans of drain cleaner on a shelf in the bathroom, a gallon container of common blue windshield wiper fluid that can be found at any K-mart, one or two five gallon cans of oil based paint, four or five cans of latex paint, a one gallon container of black roofing cement to repair leaks in a roof, a container of Freon for performing maintenance on the air conditioning system and small number of spare electrical capacitors as replacements for the electrical capacitor and the base converter on the air compressor. These were dry capacitors, not oil-filled capacitors. All of these materials were purchased new as products, were used for their intended purposes, and were not wastes, hazardous or otherwise.

14. Describe how these hazardous substances and/or chemicals which were used by the Gary Development Co., Inc. during its operation at the Site were disposed of by the Gary Development Co., Inc. Provide copies of hazardous waste manifests showing the ultimate disposition for these wastes and hazardous substances that were used to maintain and operate the landfill and related machinery.

OBJECTION TO REQUEST NO. 14

I object to this Information Request on the grounds that it is defective in form. The Request assumes that materials used to maintain and operate the landfill and related machinery were disposed, and assumes that any materials disposed were RCRA hazardous wastes for which manifests were required. The response to Request No. 14 is without any admission or representation that any substance used for maintenance and operation was a hazardous substance, or was a hazardous waste that required a hazardous waste manifest or was disposed at all.

RESPONSE TO REQUEST NO. 14

Such materials were not disposed, they were used as products.

15. Did Gary Development Co., Inc. at any time abandon any drums, containers, insecticides, paints, roofing cements, freon cylinders, drain cleaners, windshield wiper fluid, electrical capacitors or any other materials at the Site?

RESPONSE TO REQUEST NO. 15

I do not know.

16. Provide a detailed list of materials, chemicals, and/or hazardous substances that Gary Development Co., Inc. left at the Site as of July 30, 1997. In addition, describe where the materials originated from, and who was responsible for those materials being left at the Site.

RESPONSE TO REQUEST NO. 16

I do not know about any materials, chemicals, and/or hazardous substances that may have been left at the Site as of July 30, 1997, where any such materials may have originated, or who was responsible for any such materials. I was no longer employed by that date.

17. Identify whether any materials, chemicals, and/or hazardous substances were left at the Site after July 30, 1997, and provide a detailed list of those materials. In addition, describe where the materials originated from, and who was responsible for those materials being left at the Site.

RESPONSE TO REQUEST NO. 17

To the extent this Request seeks the same information as Request No. 16, see my response to Request No. 16. To the extent it seeks information about any other materials, I was no longer employed by that date.

18. Describe the nature of your daily activities or business at the Site, with respect to purchasing, receiving, processing, storing, treating, disposing, or otherwise handling hazardous substances or materials. If you were not at the Site on a regular basis, describe how often you went to the Site and what activities you engaged in on those visits.

OBJECTION TO REQUEST NO. 18

I object to this information on the grounds that it is defective in form. Request assumes the existence and knowledge of "hazardous substances or materials." To my knowledge, waste materials brought to the Site did not contain hazardous substances or hazardous materials. Thus, the response to Request No. 18 is without any admission or representation that any constituent of materials brought to the Site contained hazardous substances or hazardous materials.

RESPONSE TO REQUEST NO. 18

I was at the Site every day with exception of vacations and the occasional sick day. I worked on a fulltime, hourly employee basis. I just operated a bulldozer and other similar equipment as instructed by management. My daily activities had nothing to do with purchasing, receiving, processing, storing, treating or otherwise handling hazardous substances or hazardous materials.

19. Provide the name, last known address, and telephone number of the employees of Gary Development Co., Inc. who worked at the Site during the years of the landfill's operation and describe the nature of their work at the Site.

RESPONSE TO REQUEST NO. 19

Ed Devries, Jr. - deceased - equipment operator
Lawrence Hagen, Jr. - equipment operator
Justin Smith - equipment operator
Lawrence Hagen, Sr. - general manager.

Lawrence Hagen, Sr. supervised the day-to-day operations. The other individuals operated the bulldozers, compactors, and loaders. Other than Lawrence Hagen, Sr., I do not know the addresses or any other contact information for these individuals.

20. State whether any officers or directors of Gary Development Co., Inc. approved, authorized, discussed, or had knowledge or awareness of any arrangement to dispose or abandon wastes from the facility at the Site. Describe the nature and extent of such approval, authorization, discussion, knowledge, or awareness.

OBJECTION TO REQUEST NO. 20

I object to this Information Request on the grounds that it is defective in form. The phrase "dispose or abandon wastes from the facility at the Site" is ambiguous and unclear.

RESPONSE TO REQUEST NO. 20

I do not know what the officers or directors of Gary Development Co., Inc. approved, authorized, discussed, or what knowledge or awareness of any arrangement to dispose or abandon waste from the facility at the Site the officers or directors had, except that food waste and miscellaneous non-hazardous rubbish generated on an ongoing basis at the facility was disposed in the landfill at the Site.

21. List all names under which Gary Development Co., Inc. has ever operated and has ever been incorporated, including, but not limited to Rock Road Construction Company. For each name listed, provide the following information which should include a copy of any document consulted, examined, or referred to:

RESPONSE TO REQUEST NO. 21

I do not know. To the best of my knowledge, Gary Development Co., Inc. never operated under any name other than Gary Development Company.

- a) Whether the company or business continues to exist, indicating the date and means by which it ceased operations (e.g., dissolution, bankruptcy, sale) if it is not longer in business.*

RESPONSE TO REQUEST NO. 21 a

To the best of my knowledge, Gary Development Co., Inc. ceased operations sometime around 1999.

- b) Names, addresses, and telephone numbers of all officers and operations management personnel.*

RESPONSE TO REQUEST NO. 21 b

I do not know the names, addresses, and telephone numbers of the officers of Gary Development Company. Lawrence Hagen, Sr. was the general manager. His address is: Lawrence H. Hagen, Sr., 1648 Jupiter Cove, Unit 510, Jupiter, Florida 33469.

- c) Names, addresses, and telephone numbers of all subsidiaries, unincorporated divisions or operating units, affiliates, and parent corporations if any, of Gary Development Co., Inc.*

RESPONSE TO REQUEST NO. 21 c

I was only an hourly employee. I do not know anything about Gary Development Company subsidiaries, unincorporated divisions or operating units, affiliates, or parent corporations, if any.

- 22. Did Rock Road Construction Company participate in decisions regarding Gary Development Co., Inc.'s financial matters, or loan, grant, or otherwise advance any funds to Gary Development Co., Inc.? If your answer is anything other than a "no", describe how and to what extent Rock Road Construction Company participated in such decisions.*

RESPONSE TO REQUEST NO. 22

I do not know.

- 23. Did Rock Road Construction Company participate in decisions regarding environmental matters at the Site, or have the capacity to control the*

disposal of hazardous substances at the Site? If your answer is anything other than "no", describe how and to what extent Rock Road Construction Company participated in such decisions.

RESPONSE TO REQUEST NO. 23

I do not know.

24. Identify all shared officers and directors of Rock Road Construction Company and Gary Development Co., Inc. and provide their titles, dates of service, and duties with Gary Development Co., Inc.

RESPONSE TO REQUEST NO. 24

I do not know.

25. Describe the extent and nature of your involvement in the design and/or construction of the landfill at the Site.

RESPONSE TO REQUEST NO. 25

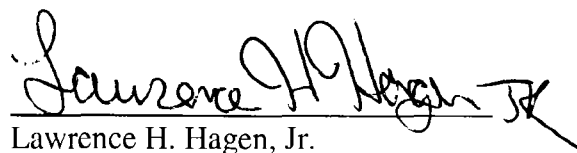
I had no involvement in the design and/or construction of the landfill at the Site.

26. Describe whether you participated in preparing, reviewing and/or approving of Gary Development Co., Inc.'s proposal to operate a landfill at the Site submitted to the Indiana State Board of Health on May 31, 1973.

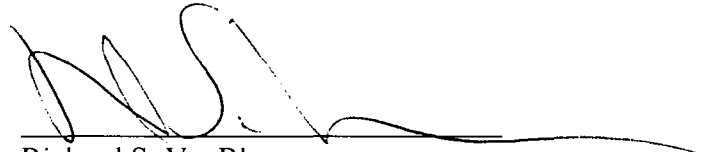
RESPONSE TO REQUEST NO. 26

I had no involvement in preparing, reviewing and/or approving of Gary Development Co., Inc.'s proposal to operate a landfill at the site.

AS TO THE RESPONSES:


Lawrence H. Hagen, Jr.

AS TO THE OBJECTIONS AND
THE PREPARATION OF THE
RESPONSES:

A handwritten signature in black ink, appearing to read 'RSV', is written over a horizontal line.

Richard S. VanRheenen
BOSE McKINNEY & EVANS LLP
Counsel for Lawrence H. Hagen, Jr.

RSV/vlr

RECEIVED
JUL 29 2003
**EMERGENCY SUPPORT
SECTION**

**BOSE
McKINNEY
& EVANS LLP**

First Class Mail

ATTORNEYS AT LAW

Debbie Regel
Enforcement Specialist
U.S . Environmental Protection Agency
Emergency Enforcement & Support
Section, SE-5J
77 West Jackson Boulevard
Chicago, IL 60604-3590

2700 First Indiana Plaza • 135 North Pennsylvania Street • Indianapolis, IN 46204